UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,282	01/10/2002	Ronald C. Allan	AUS920010917US1	4436

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EXAMINER
HOLLAR, ANDREA B

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/045,282	ALLAN, RONALD C.
	Examiner	Art Unit	
	Andrea Hollar	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>10 January 2002</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-30</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-30</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>10 January 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/10/02</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10, 20, and 30 recite the limitation "the second web page". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 10-19, and 20-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis (patent number 5,796,952).

With respect to claim 1, Davis discloses a data processing method comprising:

generating a Web page at a server (col. 8, line 58);

generating a script, wherein the script comprises a function that returns to the server time-on-page metric data corresponding to an amount of time that the Web page is presented by the client (col. 8, line 64 – col. 9, line 2); and

inserting the script into the Web page (col. 8, line 62).

With respect to claim 2, Davis discloses:

receiving from a client a request message for the Web page (col. 8, lines 53-55);

generating a response message, wherein the response message comprises a message body with the Web page; and sending the response message to the client (col. 8, lines 56-59).

With respect to claim 3, Davis discloses that a proxy server between the client and the server performs the inserting step (col. 8, lines 9-12).

With respect to claim 4, Davis discloses that the function is evaluated when a browser application at the client determines to present a different Web page other than the Web page in which the script was inserted (col. 9, lines 11-15).

With respect to claim 5, Davis discloses that the function is registered with an event handler that is invoked when the browser application performs a page unload operation (col. 12, lines 26-28).

With respect to claim 6, Davis discloses a data processing method comprising:

sending from a client to a server a request message for a Web page (col. 8, lines 53-55);

receiving a response message, wherein the response message comprises a message body with the Web page (col. 8, lines 56-59);

interpreting the Web page (col. 8, lines 59-60), wherein the Web page has an embedded script comprising a function that returns to the server time-on-page metric data corresponding to an amount of time that the Web page is presented by the client (col. 8, line 61 – col. 9, line 2);

presenting the Web page at the client (col. 9, lines 5-6);

in response to a determination to present a different Web page, evaluating the function (col. 9, lines 11-15); and

in response to evaluating the function, sending time-on-page metric data to the server (col. 9, lines 13-15; fig. 3, item S308).

With respect to claim 7, Davis discloses:

registering the function with an event handler in the browser application (col. 12, line 23); and

invoking the event handler when the browser application performs a page unload operation (col. 12, lines 26-28).

With respect to claim 8, Davis discloses:

retrieving a presentation start time when the embedded script is interpreted (col. 12, lines 24-26);

retrieving a presentation end time when the function is evaluated (col. 12, lines 26-30); and

computing the time-on-page metric data as the difference between the presentation start time and the presentation end time (col. 12, lines 26-30).

With respect to claim 9, Davis discloses that the time-on-page metric data is sent to the server as parameter data in a request message for a second Web page (col. 12, lines 34-36).

With respect to claim 11, Davis discloses an apparatus comprising:

means for generating a Web page at a server (col. 8, line 58);

means for generating a script, wherein the script comprises a function that returns to the server time-on-page metric data corresponding to an amount of time that the Web page is presented by the client (col. 8, line 64 – col. 9, line 2); and

means for inserting the script into the Web page (col. 8, line 62).

With respect to claim 12, Davis discloses:

means for receiving from a client a request message for the Web page (col. 8, lines 53-55);

means for generating a response message, wherein the response message comprises a message body with the Web page; and means for sending the response message to the client (col. 8, lines 56-59).

With respect to claim 13, Davis discloses that a proxy server between the client and the server performs the script insertion (col. 8, lines 9-12).

With respect to claim 14, Davis discloses that the function is evaluated when a browser application at the client determines to present a different Web page other than the Web page in which the script was inserted (col. 9, lines 11-15).

With respect to claim 15, Davis discloses that the function is registered with an event handler that is invoked when the browser application performs a page unload operation (col. 12, lines 26-28).

With respect to claim 16, Davis discloses an apparatus comprising:

means for sending from a client to a server a request message for a Web page (col. 8, lines 53-55);

means for receiving a response message, wherein the response message comprises a message body with the Web page (col. 8, lines 56-59);

means for interpreting the Web page (col. 8, lines 59-60), wherein the Web page has an embedded script comprising a function that returns to the server time-on-page metric data corresponding to an amount of time that the Web page is presented by the client (col. 8, line 61 – col. 9, line 2);

means for presenting the Web page at the client; means for evaluating the function in response to a determination to present a different Web page (col. 9, lines 11-15); and

means for sending time-on-page metric data to the server in response to evaluating the function (col. 9, lines 13-15; fig. 3, item S308).

With respect to claim 17, Davis discloses:

means for registering the function with an event handler in the browser application (col. 12, line 23);

and means for invoking the event handler when the browser application performs a page unload operation (col. 12, lines 26-28).

With respect to claim 18, Davis discloses:

means for retrieving a presentation start time when the embedded script is interpreted (col. 12, lines 24-26);

means for retrieving a presentation end time when the function is evaluated (col. 12, lines 26-30); and

means for computing the time-on-page metric data as the difference between the presentation start time and the presentation end time (col. 12, lines 26-30).

With respect to claim 19, Davis discloses that the time-on-page metric data is sent to the server as parameter data in a request message for a second Web page (col. 12, lines 34-36).

With respect to claim 21, Davis discloses a computer program product in a computer readable medium for use in a data processing system comprising:

instructions for generating a Web page at a server (col. 8, line 58);

instructions for generating a script, wherein the script comprises a function that returns to the server time-on-page metric data corresponding to an amount of time that the Web page is presented by the client (col. 8, line 64 – col. 9, line 2); and

instructions for inserting the script into the Web page (col. 8, line 62).

With respect to claim 22, Davis discloses:

instructions for receiving from a client a request message for the Web page (col. 8, lines 53-55);

instructions for generating a response message, wherein the response message comprises a message body with the Web page; and instructions for sending the response message to the client (col. 8, lines 56-59).

With respect to claim 23, Davis discloses that a proxy server between the client and the server performs the script insertion (col. 8, lines 9-12).

With respect to claim 24, Davis discloses that the function is evaluated when a browser application at the client determines to present a different Web page other than the Web page in which the script was inserted (col. 9, lines 11-15).

With respect to claim 25, Davis discloses that the function is registered with an event handler that is invoked when the browser application performs a page unload operation (col. 12, lines 26-28).

With respect to claim 26, Davis discloses a computer program product in a computer readable medium for use in a data processing system comprising:

instructions for sending from a client to a server a request message for a Web page (col. 8, lines 53-55);

instructions for receiving a response message, wherein the response message comprises a message body with the Web page (col. 8, lines 56-59);

instructions for interpreting the Web page (col. 8, lines 59-60), wherein the Web page has an embedded script comprising a function that returns to the server time-on-page metric data corresponding to an amount of time that the Web page is presented by the client (col. 8, line 61 – col. 9, line 2);

instructions for presenting the Web page at the client; instructions for evaluating the function in response to a determination to present a different Web page (col. 9, lines 11-15); and

instructions for sending time-on-page metric data to the server in response to evaluating the function (col. 9, lines 13-15; fig. 3, item S308).

With respect to claim 27, Davis discloses:

instructions for registering the function with an event handler in the browser application (col. 12, line 23); and

instructions for invoking the event handler when the browser application performs a page unload operation (col. 12, lines 26-28).

With respect to claim 28, Davis discloses:

instructions for retrieving a presentation start time when the embedded script is interpreted (col. 12, lines 24-26);

instructions for retrieving a presentation end time when the function is evaluated (col. 12, lines 26-30); and

instructions for computing the time-on-page metric data as the difference between the presentation start time and the presentation end time (col. 12, lines 26-30).

With respect to claim 29, Davis discloses that the time-on-page metric data is sent to the server as parameter data in a request message for a second Web page (col. 12, lines 34-36).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 10, 20, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis (patent number 5,796,952) in view of Fielding (RFC 2616).

Davis does not expressly disclose that a response for the second web page contains a no-content or null response code.

Fielding teaches that it is known that it is possible for a webpage request to result in a no-content response (p. 65, section 10.4.5).

Davis and Fielding are analogous art because they are both from the same field of endeavor of transfer of data over the web.

At the time of invention, it would have been obvious to modify Davis to be able to acknowledge that the request for the second webpage resulted in a no-content response. The motivation for doing so would have been to inform the user of the status of the request.

Therefore, it would have been obvious to combine Fielding with Davis for the benefit of status information to obtain the inventions as specified in claims 10, 20, and 30.
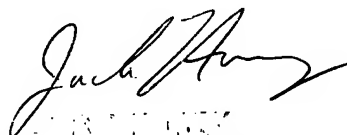
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea Hollar whose telephone number is 571-272-5862. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ABH